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MEMORANDUM

TO: Ravalli County Commissioners

FROM: Alex Beal *AB*
Ravalli County Deputy Attorney

DATE: November 21, 2007

RE: Quorums

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Ravalli County Commissioners

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You wouldn't think what constitutes a majority vote in a quorum would have much in common with the question "What is the sound of one hand clapping?" However, it may be closer to that than a standard legal question. In researching how many votes are needed to pass something when three (3) Commissioners are present (2 or 3 votes), I have not been able to come to a simple or definitive answer. In fact the question is muddled enough that I will be requesting a Letter of Advice from the Attorney General's Office. The Letter of Advice process is considerably simpler than a formal Attorney General Opinion and as I have done what I believe is all the necessary research it should not take much time to prepare that letter. I would hope to have a response from Mr. McGrath's office before Christmas. In the meantime, regardless of the number of Commissioners present, I recommend that if there are not at least three (3) votes for passage of anything, that you table and reconsider the matter at a later time.